

6 VAC 20-171-230. Business standards of conduct.

A licensee shall:

1. Conform to all requirements pursuant to the Code of Virginia and this chapter.
2. Ensure that all employees regulated, or required to be regulated, by this chapter conform to all application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
3. Not direct any employee regulated, or required to be regulated, by this chapter to engage in any acts prohibited by the Code of Virginia and this chapter.
4. Employ individuals regulated, or required to be regulated, as follows:
 - a. A licensee shall employ or otherwise utilize individuals possessing a valid registration issued by the department showing the registration categories required to perform duties requiring registration pursuant to the Code of Virginia;
 - b. A licensee shall not allow individuals requiring registration as armored car personnel, armed security officers/couriers, alarm respondents with firearm endorsement, private investigators, personal protection specialists or security canine handlers to perform private security services until such time as the individual has been issued a registration by the department;
 - c. A licensee may employ individuals requiring registration as alarm respondent without firearm endorsement, central station dispatcher, electronic security sales representative, electronic security technician, armored car driver, unarmed security officer or electronic security technician's assistant for a period not to exceed 90 consecutive days in any registered category listed above while completing the compulsory minimum training standards provided:
 - (1) Their fingerprint cards have been submitted pursuant to Article 1 (6 VAC 20-171-30 et seq.) of Part III of this chapter;
 - (2) The individual is not employed in excess of 120 days without having been issued a registration from the department; and
 - (3) The individual did not fail to timely complete the required training with previous employer(s).
 - d. A licensee shall not employ any individual carrying or having access to a firearm in the performance of his duties who has not obtained a valid registration and firearms endorsement from the department; and
 - e. A licensee shall maintain appropriate documentation to verify compliance with these requirements. A licensee shall maintain these documents after employment is terminated for a period of not less than three (3) years.
5. Not contract or subcontract any private security services in the Commonwealth of Virginia to a person not licensed by the department. Verification of a contractor's or subcontractor's license issued by the department shall be maintained for a period of not less than three (3) years.
6. Ensure that the compliance agent conforms to all applicable application requirements, administrative requirements and standards of conduct pursuant to the Code of Virginia and this chapter.
7. Permit the department during regular business hours to inspect, review, or copy those documents, business records or training records that are required to be maintained by the Code of Virginia and this chapter.
8. Not violate or aid and abet others in violating the provisions of Article 1 (§ 9.1-138 et seq.) of Chapter 1 of Title 9.1 of the Code of Virginia or this chapter.
9. Not commit any act or omission that results in a private security license or registration being suspended, revoked, not renewed or being otherwise disciplined in any jurisdiction.
10. Not have been convicted or found guilty in any jurisdiction of the United States of any felony or a misdemeanor involving moral turpitude, assault and battery, damage to real or personal property, controlled substances or imitation controlled substances as defined in Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia, prohibited sexual behavior as described in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2 of the Code of Virginia, or firearms, from which no appeal is pending, or the time for appeal has elapsed. Any plea of nolo contendere shall be considered a conviction for the purpose of this chapter. The record of conviction certified or authenticated in

such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be prima facie evidence of such guilt.

11. Not obtain a license, license renewal, registration, registration renewal, certification, certification renewal, or firearms endorsement through any fraud or misrepresentation.
12. Include the business license number issued by the department on all business advertising materials pursuant to the Code of Virginia.
13. Not conduct a private security services business in such a manner as to endanger the public health, safety and welfare.
14. Not falsify, or aid and abet others in falsifying, training records for the purpose of obtaining a license, registration or certification.
15. Not represent as one's own a license issued to another private security services business.
16. When providing central station monitoring services, attempt to verify the legitimacy of a burglar alarm activation by calling the site of the alarm, if unable to make contact, call one additional number provided by the alarm user who has the authority to cancel the dispatch. (This shall not apply if the alarm user has provided written authorization requesting immediate or one call dispatch to both their local police department and their dealer of record). This shall not apply to duress or hold-up alarms.
17. Not perform any unlawful or negligent act resulting in loss, injury or death to any person.
18. Utilize vehicles for private security services using or displaying a flashing light only as specifically authorized by the Code of Virginia (§46.2-1025.9).
19. Not use or display the state seal of Virginia or the seal of the Department of Criminal Justice Services, or any portion thereof, or the seal of any political subdivision, or any portion thereof, as a part of any logo, stationery, letter, training document, business card, badge, patch, insignia or other form of identification or advertisement.
20. Not provide information obtained by the firm or its employees to any person other than the client who secured the services of the licensee without the client's prior written consent. Provision of information in response to official requests from law-enforcement agencies, the courts, or the department shall not constitute a violation of this chapter. Provision of information to law-enforcement agencies pertinent to criminal activity or to planned criminal activity shall not constitute a violation of this chapter.
21. Not engage in acts of unprofessional conduct in the practice of Private Security Services.
22. Not engage in acts of negligent and/or incompetent Private Security Services.
23. Not make any misrepresentation or false promise to a private security services business client or potential private security services business client.
24. Not violate any state or local ordinances.
25. Satisfy all judgements related to private security services not provided.
26. Not publish or cause to be published any written business material relating to private security services which contains an assertion, representation, or statement of fact that is false, deceptive or misleading.
27. Do not conduct private security business under a fictitious or assumed name unless you have the name on file with the Department of Criminal Justice Services. This does not apply to a Private Investigator conducting a "pretext", provided that the Private Investigator does not state that he is representing a private security business that does not exist.